

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Stage of :)
International Application No. PCT/AU02/00513)
I.A. Filing Date: April 24, 2002)
Applicant: Desmond Jay Maslen)
U.S. Serial No.: 10/512,122)
Title: RADIAL ENGINE)
Attorney Docket No.: 5754-2)

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent
and Trademark Office Fax No. (571) 273-0459
on April 14, 2005.

Ruth A. Rogers
(Typed or printed Name of Person Signing Certificate)

Ruth A. Rogers
(Signature)

PETITION REQUESTING WITHDRAWAL
OF NOTICE OF ABANDONMENT
UNDER 37 C.F.R. §1.181

Commissioner for Patents
Attention: Legal Department
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, through his representative, hereby requests that the Notice of Abandonment dated April 1, 2005 in the above-referenced application be withdrawn pursuant to the provisions of 37 C.F.R. 1.181.

The 30-month deadline for entering the U.S. national stage was October 27, 2004. The present U.S. national stage application was deposited on October 21, 2004, as set forth on the Certificate of Express Mailing on the Transmittal Letter (Exhibit A hereto) and as also acknowledged by the return post card (Exhibit B hereto).

Applicant remitted \$605.00 with the transmittal of the application on a Credit Card Payment Form (Exhibit C hereto). It is believed this fee was sufficient to cover all relevant filing fees after entry of the Preliminary Amendment that was filed concurrently with the application. In addition, Box C on page 2 of the Transmittal Letter (Page 2 of Exhibit A hereto) was checked, stating: "The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3030."

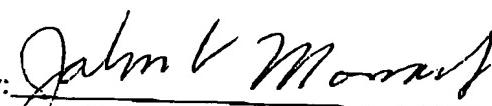
The Notification of Abandonment (Exhibit D hereto) indicated that "Applicant has failed to provide the full U.S. Basic National Fee by 30 months... and is abandoned as to the United States of America." No calculations of the filing fee were given in the Notice of Abandonment; however, Applicant believes the amount paid was timely and sufficient to cover the filing fee. In addition, any deficiency was authorized to be charged to the deposit account of the undersigned.

For these foregoing reasons, Applicant respectfully requests withdrawal of the holding of abandonment set forth in the Notice of Abandonment mailed April 1, 2005 pursuant to the provisions of 37 CFR 1.181. No fee is believed to be required. However, should any fee be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By:


John V. Moriarty, Reg. No. 26,207
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137
(317) 634-3456